

UNITED STATES BANKRUPTCY COURT
District of New Jersey

IN RE: Elizabeth H. Shea

Case No.: 16-22060

Judge: JKS

Debtor(s)

Chapter: 13

CHAPTER 13 PLAN AND MOTIONS - MODIFIED 7/26/17

☐ Original☒ Modified/Notice Required☒ Discharge Sought☐ Motions Included☐ Modified/No Notice Required☐ No Discharge SoughtDate: July 26, 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
 CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
 IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
 THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay 25.00 Monthly* to the Chapter 13 Trustee, starting on June 1, 2016 for approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property

Description:

Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property

Description: Debtor is in the process of pursuing loan modification / loss mitigation with SLS, has pending Motion For Participation in Loss Mitigation Program (Docket Doc. #40)

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan: Debtor is presently making post-petition adequate protection payments to Secured Creditor SLS, \$2,528.62 per month.

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ 2,528.62 per month to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to Secured Creditor, Specialized Loan Servicing/SLS (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Internal Revenue Service	Taxes and certain other debts	9,550.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
-NONE-					

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in

Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
-NONE-							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor

Specialized Loan Servicing/SLS

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$_____ to be distributed *pro rata*

_____ Not less than _____ percent

 x *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-			

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims

- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

e. Other Provisions:

*This plan is a step plan or has lumpsum payments as follows: \$25.00 per month for 13 months, then \$1,100.00 per month for 47 months

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.
Date of Plan being modified: June 22, 2016.

Explain below why the Plan is being modified. Per Court's Order Dated May 24, 2017.	Explain below how the Plan is being modified Modified Plan fully provides for IRS secured claim, as well as SLS.
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Are Schedules I and J being filed simultaneously with this modified Plan? ☒ Yes ☐ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date July 26, 2017 /s/ Daniel Kohn
Daniel Kohn
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: July 26, 2017 /s/ Elizabeth H. Shea
Elizabeth H. Shea
Debtor

Date: _____
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Elizabeth H. Shea
 Debtor

Case No. 16-22060-JKS
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

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 Total Noticed: 32

Date Rcvd: Jul 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 29, 2017.

db +Elizabeth H. Shea, 47 Country Village Road, Jersey City, NJ 07305-1201
 cr +Specialized Loan Servicing LLC, as servicing agent, C/O Buckley Madole, P.C.,
 99 Wood Avenue South, Suite 803, Iselin, NJ 08830-2713
 516248717 Capital One Bank USA, NA, Attn: Bankruptcy Dept., PO Box 30285,
 Salt Lake City, UT 84130-0285
 516248719 +Craner, Satkin, Scheer & Schwartz PC, 320 Park Avenue, PO Box 367,
 Scotch Plains, NJ 07076-0367
 516269458 +DONALD LEICHTER MD FACC FAAP, Craner Satkin Scheer Schwartz & Hanna, P,
 320 Park Avenue, PO Box 367, Scotch Plains, NJ 07076-0367
 516467892 +Deutsche Bank National Trust Co. Trustee (See 410), c/o Specialized Loan Servicing LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
 516248721 +Dr. Donald A. Leichter, MD, Attn. Billing Dept., 47 Maple Street, Suite 406,
 Summit, NJ 07901-2571
 516248725 +Hudson County Sheriff, Sales & Foreclosure Dept., 595 Newark Avenue,
 Jersey City, NJ 07306-2394
 516248726 +IC Systems, Inc., 444 Highway 96 East, PO Box 64378, St Paul, MN 55164-0378
 516389476 +Midland Funding LLC, PO Box 2011, Warren MI 48090-2011
 516248728 +Midland Funding LLC, C/O MCM, Inc., 2365 Northside Drive, Suite 300,
 San Diego, CA 92108-2709
 516248729 +Ocwen, Attention: Bankruptcy, P.O. Box 24738, West Palm Beach, FL 33416-4738
 516248730 +Phelan Hallinan & Diamond, PC, Attn.: Mr. John D. Krohn, 400 Fellowship Road, Suite 100,
 Mount Laurel, NJ 08054-3437
 516248732 +Pressler and Pressler, Attn.: Mr. Ralph Gulko, Esq., 7 Entin Road,
 Parsippany, NJ 07054-5020
 516248733 +Remex Inc, 307 Wall St, Princeton, NJ 08540-1515
 516248735 +Specialized Loan Servicing/SLS, Attn: Bankruptcy, PO Box 636005, Littleton, CO 80163-6005
 516248739 +Wells Fargo Dealer Services, PO Box 3569, Rancho Cucamonga, CA 91729-3569
 516248740 +Wells Fargo Home Mortgage, dba Americas Servicing Co., 1000 Blue Gentian Rd. #300,
 Mac #X7801-02k, Eagan, MN 55121-1786

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 27 2017 23:31:00 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 27 2017 23:30:58 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516248720 +E-mail/PDF: creditonebknofications@resurgent.com Jul 27 2017 23:32:38 Credit One Bank Na,
 Po Box 98873, Las Vegas, NV 89193-8873
 516248722 +E-mail/Text: bknotices@fenton-mcgarvey.com Jul 27 2017 23:30:28
 Fenton McGarvey Law Firm, PSC, Attn. Mr. Keith Golub, 2401 Stanley Gault Parkway,
 Louisville, KY 40223-4175
 516248727 E-mail/Text: cio.bncmail@irs.gov Jul 27 2017 23:30:38 Internal Revenue Service,
 P.O. Box 7346, Philadelphia, PA 19101-7346
 516400314 E-mail/PDF: resurgentbknofications@resurgent.com Jul 27 2017 23:32:16
 LVNV Funding, LLC its successors and assigns as, assignee of FNM, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 516248731 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 27 2017 23:32:18
 Portfolio Recovery Associates, LLC, Attn. Ms. Sheena Daneshyar, 120 Corporate Boulevard,
 Norfolk, VA 23502-4952
 516470335 E-mail/PDF: resurgentbknofications@resurgent.com Jul 27 2017 23:32:16
 Pinnacle Credit Services LLC, c/o Resurgent Capital Services, PO Box 10587,
 Greenville, SC 29603-0587
 516301890 E-mail/Text: bnc-quantum@quantum3group.com Jul 27 2017 23:30:53
 Quantum3 Group LLC as agent for, CF Medical LLC, PO Box 788, Kirkland, WA 98083-0788
 516248734 +E-mail/Text: bankruptcy@sw-credit.com Jul 27 2017 23:31:01 Southwest Credit Systems,
 4120 International Parkway, Suite 1100, Carrollton, TX 75007-1958
 516455722 +E-mail/PDF: gecsed@recoverycorp.com Jul 27 2017 23:38:26 Synchrony Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 516248736 +E-mail/PDF: gecsed@recoverycorp.com Jul 27 2017 23:38:32 Synchrony Bank/Banana Republic,
 Po Box 965064, Orlando, FL 32896-5064
 516248737 +E-mail/PDF: gecsed@recoverycorp.com Jul 27 2017 23:38:26 Synchrony Bank/Gap,
 Po Box 965064, Orlando, FL 32896-5064
 516248738 +E-mail/Text: bankruptcy@usalliance.org Jul 27 2017 23:31:37 Unistar Fed Credit Union,
 Attn. Billing Dept., 303 Broadway, Suite # 126, Tarrytown, NY 10591-5420

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516248718* Capital One Bank USA, NA, Attn: Bankruptcy Dept., PO Box 30285,
 Salt Lake City, UT 84130-0285
 516248723* +Fenton McGarvey Law Firm, PSC, Attn. Mr. Keith Golub, 2401 Stanley Gault Parkway,
 Louisville, KY 40223-4175
 516248724* +Fenton McGarvey Law Firm, PSC, Attn. Mr. Keith Golub, 2401 Stanley Gault Parkway,
 Louisville, KY 40223-4175

TOTALS: 0, * 3, ## 0

District/off: 0312-2

User: admin
Form ID: pdf901

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Total Noticed: 32

Date Rcvd: Jul 27, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 29, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 26, 2017 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for HSI Asset Corporation Trust 2006-HE1, Mortgage Pass-Through Certificates, Series 2006-HE1
bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Daniel Kohn on behalf of Debtor Elizabeth H. Shea dkohn@rclawgroup.com
Denise E. Carlon on behalf of Creditor Specialized Loan Servicing LLC, as servicing agent for Deutsche Bank National Trust Company, as Trustee for HSI Asset Corporation Trust 2006-HE1, Mortgage Pass-Through Certificates, Series 2006-HE1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Francesca Ann Arcure on behalf of Creditor Specialized Loan Servicing LLC, as servicing agent for Deutsche Bank National Trust Company, as Trustee for HSI Asset Corporation Trust 2006-HE1, Mortgage Pass-Through Certificates, Series 2006-HE1 nj_ecf_notices@buckleymadole.com
Marie-Ann Greenberg magecf@magtrustee.com

TOTAL: 5